

# HOUSE JOURNAL

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SEVENTY-FOURTH LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

NINTH DAY — WEDNESDAY, JANUARY 25, 1995

The house met at 10 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 12).

Present — Mr. Speaker; Alexander; Allen; Alonzo; Alvarado; Averitt; Bailey; Berlanga; Black; Bosse; Brady; Brimer; Carter; Chisum; Clemons; Coleman; Combs; Conley; Cook; Corte; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Culberson; Danburg; Davila; Davis; De La Garza; Dear; Delisi; Denny; Driver; Duncan; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Gallego; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Holzhauser; Howard; Hudson; Hunter, B.; Hunter, T.; Jackson; Janek; Johnson; Jones, D.; Jones, J.; Junell; Kamel; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCoulskey; McDonald; Moffat; Moreno; Mowery; Munoz; Naishtat; Nixon; Oakley; Ogden; Oliveira; Park; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna; Rhodes; Rodriguez; Romo; Rusling; Sadler; Saunders; Serna; Shields; Siebert; Solis; Solomons; Stiles; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; West; Williamson; Willis; Wohlgenuth; Wolens; Woolley; Yarbrough; Yost; Zbranek.

Absent, Excused — Carona; Dukes; McCall; Swinford; Walker.

Absent — Bomer; Horn; Seidlits; Smithee; Wilson.

The invocation was offered by Dr. Gordon Smith, Riverbend Church, Austin, as follows:

Father, make yesterday a better day by forgiving us our trespasses as we forgive those who trespass against us. And, yes, we all want a better tomorrow. Help make it a better day by granting this governmental body the wisdom and courage to make wise and prudent decisions today. In the Master's name.

### LEAVES OF ABSENCE GRANTED

The following member was granted leave of absence for today because of important business:

Dukes on motion of S. Turner.

The following members were granted leaves of absence for today because of important business in the district:

McCall on motion of Madden.

Swinford on motion of Shields.

Walker on motion of Shields.

Carona on motion of Hartnett.

### MESSAGE FROM THE SENATE

Austin, Texas, January 25, 1995

The Honorable Speaker of the House of Representatives  
House Chamber

The Honorable  
Mr. Speaker:

I am directed by the Senate to inform the House that the Senate has passed the following:

**SCR 6** by Nelson, et al., claiming sovereignty under the Tenth Amendment to the United States Constitution over all other powers not otherwise enumerated and granted to the federal government by that constitution.

**SCR 7** by Harris, Chris, et al., designating January 25, 1995, as "Children's Advocacy Day" at the Capitol.

**SCR 33** by Bivins, rejecting the suggestion by the U.S. Fish and Wildlife Service that it has failed to manage its resources in the Ogallala Aquifer in an environmentally conscious manner.

**SCR 34** by Shapiro, recognizing February 22, 1995, as Collin County Day.

**SB 192** by Henderson, et al., relating to the administration and responsibilities of The University of Texas M.D. Anderson Cancer Center.

Respectfully,  
Betty King  
Secretary of the Senate

### CAPITOL PHYSICIAN

Speaker Laney presented Dr. Dale Rhoades of Crosbyton as the "Doctor for the Day."

The house welcomed Dr. Rhoades and thanked him for his participation in the Physician of the Day program sponsored by the Texas Academy of Family Physicians.

### SIGNED BY THE SPEAKER

The speaker signed in the presence of the house, after giving due notice thereof, the following enrolled bill and resolutions:

**HCR 38, HCR 42, SB 18, SCR 28**

#### **HCR 38**

**HCR 38**, designating January 25, 1995, as Mount Pleasant Day, having been previously adopted, was read.

(Horn and Wilson now present)

#### **HR 49 - ADOPTED**

Representative Hill moved to suspend all necessary rules to take up and consider at this time **HR 49**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Hill,

**HR 49**, Declaring March 21, 1995, to be Richardson Day.

The resolution was adopted without objection.

#### **HR 68 - ADOPTED**

Representative Kubiak moved to suspend all necessary rules to take up and consider at this time **HR 68**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Kubiak,

**HR 68**, Congratulating Bill McCutchen on the occasion of his retirement.

The resolution was adopted without objection.

On motion of Representative Edwards, the names of all the members of the house were added to **HR 68** as signers thereof.

#### **HCR 45 - ADOPTED**

Representative Finnell moved to suspend all necessary rules to take up and consider at this time **HCR 45**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Finnell,

**HCR 45**, In memory of John C. White.

The resolution was unanimously adopted by a rising vote.

On motion of Representative Kubiak, the names of all the members of the house were added to **HCR 45** as signers thereof.

#### **HR 57 - ADOPTED**

Representative Reyna moved to suspend all necessary rules to take up and consider at this time **HR 57**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Reyna,

**HR 57**, Honoring the Light Crust Doughboys band.

The resolution was adopted without objection.

On motion of Representative Junell, the names of all the members of the house were added to **HR 57** as signers thereof.

**HCR 47 - ADOPTED**

Representative Goodman moved to suspend all necessary rules to take up and consider at this time **HCR 47**.

The motion prevailed without objection

The speaker laid before the house the following resolution:

By Goodman,

**HCR 47**, Commending L. D. "Dulon" Hughes on his more than half-century of significant contributions to the betterment of his fellow citizens of Nacogdoches.

The resolution was adopted without objection.

On motion of Representative Carter, the names of all the members of the house were added to **HCR 47** as signers thereof.

**HR 67 - ADOPTED**

Representative Craddick moved to suspend all necessary rules to take up and consider at this time **HR 67**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Craddick,

**HR 67**, Congratulating Gene and Mildred Holeman on their 50th wedding anniversary.

The resolution was adopted without objection.

**ADJOURNMENT**

Representative Telford moved that the house adjourn until 10 a.m. tomorrow in memory of Fred Markham, Sr., of Texarkana, and the Honorable John C. White, former chair of the Democratic National Committee.

The motion prevailed without objection.

The house accordingly, at 10:25 a.m., adjourned until 10 a.m. tomorrow.

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**APPENDIX**

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**ENROLLED**

January 16 - **HCR 1**

January 18 - **HCR 21, HCR 36**

**SENT TO THE GOVERNOR**

January 23 - **HCR 1, HCR 21, HCR 36**